

Rel: December 16, 2022

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Alabama Court of Criminal Appeals

OCTOBER TERM, 2022-2023

CR-20-0804

Ex parte John Grant

PETITION FOR WRIT OF MANDAMUS

(In re: State of Alabama

v.

John Grant)

**Appeal from Montgomery Circuit Court
(CC-20-116)**

On Remand from the Alabama Supreme Court

PER CURIAM.

On October 1, 2021, this Court, bound by Ex parte Key, 890 So. 2d 1056 (Ala. 2003), issued an order granting the petition for a writ of

mandamus filed by John Grant, directing the Montgomery Circuit Court to dismiss Grant's indictment for capital murder. See Ex parte Grant (No. CR-20-0804, Oct. 1, 2021), ___ So. 3d ___ (Ala. Crim. App. 2021) (table). The State then petitioned the Alabama Supreme Court for a writ of certiorari to review this Court's order. The Alabama Supreme Court issued the writ, and, on September 9, 2022, it issued an opinion in which it overruled Ex parte Key, reversed this Court's judgment, and directed this court to quash the previously issued writ of mandamus. Ex parte Grant, [Ms. 1210198, Sept. 9, 2022] ___ So. 3d ___ (Ala. 2022). This Court, in compliance with the Alabama Supreme Court's opinion, hereby quashes the writ of mandamus issued by this Court on October 1, 2021.

WRIT QUASHED.

Windom, P.J., and Kellum, McCool, Cole, and Minor, JJ., concur.